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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: January 26, 2005 Name: Jason C. White Signature: *Jason C. White*

BRINKS
HOFER
GILSON
& LIONE

2645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Appln. of: LATTER et al.

Appln. No.: 09/684,828

Filed: October 10, 2000

For: METHOD AND SYSTEM FOR PROVIDING
CALL IDENTIFICATION SCREENING
USING AUDIBLE CALLER NAME
ANNOUNCEMENT

Examiner: Roland G. Foster

Art Unit: 2645

Attorney Docket No: 8285/397

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (and copy)(2 pages); Petition to Withdraw Holding of Abandonment (4 pages); Declaration of Jason C. White (3 pages) with Exhibits A, B, C, and D (40 pages)
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	0	Minus	0	0	x \$25=	0.00		x \$50=	0.00
Indep.	0	Minus	0	0	x 100=	0.00		x \$200=	0.00
First Presentation of Multiple Dep. Claim					+\$180=	0.00		+ \$360=	0.00
					Total	\$0.00		Total	\$0.00

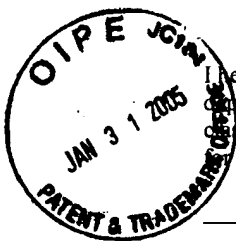
Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Jason C. White
Jason C. White (Reg. No. 42,223)

January 26, 2005



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

1-26-05
Date of Deposit

Name of Registered Representative:

Jason C. White
Jason C. White, Registration No. 42,223

1-26-05
Date of Signature

PATENT
CASE NO. 8285/397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Latter et al.)	
)	
Serial No.:	09/684,828)	Examiner: Roland G. Foster
)	
Filed:	October 10, 2000)	Group Art Unit: 2645
)	
For:	METHOD AND SYSTEM FOR)	
	PROVIDING ENHANCED)	
	CALLER IDENTIFICATION)	
	SCREENING USING AUDIBLE)	
	CALLER NAME)	
	ANNOUNCEMENT)	

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

Applicants hereby petition for withdrawal of the holding of abandonment in this application. In support of this petition, Applicants have submitted herewith a declaration executed by the undersigned attorney and provide the following facts and remarks.

FACTS

A non-final office action in the above-identified patent application was mailed on March 31, 2003, in which all of the pending claims were rejected based upon the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. Patent No. 6,178,232. (Exhibit 1, ¶ 2). All of the pending claims were also rejected under 35 U.S.C. §§ 102 or 103. (Exhibit 1, ¶ 2). On September 26, 2003, Applicants filed a terminal disclaimer and fee to overcome the double-patent rejections and filed a Response to Office Action in which amendments and remarks were presented to traverse the rejections under 35 U.S.C. §§ 102 and 103. (Exhibit 1, ¶ 3). A petition and fee for a three-month extension of time was also included. (Exhibit 1, ¶ 3).

On October 23, 2003, a Notice of Non-Compliant Amendment was mailed. (Exhibit 1, ¶ 4). The notice stated that proper status identifiers for each of the claims were not provided. (Exhibit 1, ¶ 4). The notice specifically stated that the phrase “Previously Added” was not a proper status identifier. (Exhibit 1, ¶ 4). Because the non-compliant amendment was submitted in response to a non-final office action, Applicants were given one month to respond to the Notice of Non-Compliant Amendment. (Exhibit 1, ¶ 4).

On November 5, 2003, Applicants submitted a Corrected Response to Office Action that included proper status identifiers for each of the claims. (Exhibit 1, ¶ 5). Specifically, the status identifier “Previously Added” was removed and replaced with “Previously Presented.” (Exhibit 1, ¶ 5). On November 17, 2003, Applicants received a postcard from the Patent & Trademark Office acknowledging receipt of the Corrected Response to Office Action. (Exhibit 1, ¶ 6).

On or around June 22, 2004, the Examiner for this patent application telephoned Applicants' attorney and inquired about whether a response to the Notice of Non-Compliant Amendment had been filed. (Exhibit 1, ¶ 7). Applicant's attorney informed him that a response had been filed, and sent him a copy of the previously filed response by facsimile. (Exhibit 1, ¶ 7).

On December 14, 2004, a Notice of Abandonment was mailed indicating that the application was abandoned due to Applicants' failure to respond to the October 23, 2003 Notice of Non-Compliant Amendment. (Exhibit 1, ¶ 8).

On December 29, 2004, Applicants' attorney spoke with the Examiner for this patent application and again informed him that a response to the October 23, 2003 Notice of Non-Compliant Amendment had been filed on November 5, 2003 and that a postcard had been received from the Patent Office acknowledging receipt of the corrected response. (Exhibit 1, ¶ 9). Applicants' attorney also reminded him that they had previously discussed this same issue in June 2004, and asked him if he would withdraw his holding of abandonment if copies of the corrected response and the postcard were sent to him. (Exhibit 1, ¶ 9). After the discussion, Applicants' attorney sent a copy of the November 5, 2003 Corrected Response to Office Action, as well as a copy of the postcard acknowledging receipt of the corrected response, to the Examiner via facsimile. (Exhibit 1, ¶ 9).

As of the filing date of this Petition, the Examiner had not withdrawn his holding of abandonment for this application. (Exhibit 1, ¶ 10).

REMARKS

Applicants respectfully submit that this Petition is timely because it has been filed less than two months after the Notice of Abandonment was mailed. Applicants also respectfully submit that given the above facts, the Examiner's holding of abandonment for this application is erroneous. The basis for the holding of abandonment was that Applicants failed to respond to the October 23, 2003 Notice of Non-Compliant Amendment. However, Applicants have shown that a response to that notice was filed, as evidenced by the postcard sent by the Patent Office acknowledging receipt of the response. Accordingly, because Applicants did file a timely response to the October 23, 2003 Notice of Non-Compliant Amendment, Applicants respectfully request that the holding of abandonment be withdrawn.

Applicants submit that pursuant to MPEP § 711.03(c)(I), no petition fee is required. However, in the event that any fees are required, Applicants request that they be charged to deposit account No. 23-1925.

Dated: January 26, 2005

Respectfully submitted,



Jason C. White
Registration No. 42,223
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

1-26-05

Date of Deposit

Name of Registered Representative:

Jason C. White
Jason C. White, Registration No. 42,223

1-26-05

Date of Signature

PATENT
CASE NO. 8285/397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Latter et al.)	
)	
Serial No.:	09/684,828)	Examiner: Roland G. Foster
)	
Filed:	October 10, 2000)	Group Art Unit: 2645
)	
For:	METHOD AND SYSTEM FOR)	
	PROVIDING ENHANCED)	
	CALLER IDENTIFICATION)	
	SCREENING USING AUDIBLE)	
	CALLER NAME)	
	ANNOUNCEMENT)	

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

DECLARATION OF JASON C. WHITE

I, Jason C. White, declare as follows:

1. I am an attorney of record in the above-identified patent application.
2. A non-final office action in the above-identified patent application was mailed on March 31, 2003, in which all of the pending claims were rejected based upon the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. Patent No. 6,178,232. All of the pending claims were also rejected under 35 U.S.C. §§ 102 or 103.

3. On September 26, 2003, Applicants filed a terminal disclaimer and fee to overcome the double-patent rejections and filed a Response to Office Action in which amendments and remarks were presented to traverse the rejections under 35 U.S.C. §§ 102 and 103. A petition and fee for a three-month extension of time was also included.

4. On October 23, 2003, a Notice of Non-Compliant Amendment was mailed. The notice stated that proper status identifiers for each of the claims were not provided. The notice specifically stated that the phrase "Previously Added" was not a proper status identifier. Because the non-compliant amendment was submitted in response to a non-final office action, Applicants were given one month to respond to the Notice of Non-Compliant Amendment.

5. On November 5, 2003, Applicants submitted a Corrected Response to Office Action that included proper status identifiers for each of the claims. Specifically, the status identifier "Previously Added" was removed and replaced with "Previously Presented." (Tab A).

6. On November 17, 2003, Applicants received a postcard from the Patent & Trademark Office acknowledging receipt of the Corrected Response to Office Action. (Tab B).

7. On or around June 22, 2004, the Examiner for this patent application telephoned me and inquired about whether a response to the Notice of Non-Compliant Amendment had been filed. I informed him that a response had been filed, and I sent him a copy of the previously filed response by facsimile. (Tab C).

8. On December 14, 2004, a Notice of Abandonment was mailed indicating that the application was abandoned due to Applicants' failure to respond to the October 23, 2003 Notice of Non-Compliant Amendment.


9. On December 29, 2004, I spoke with the Examiner for this patent application and again informed him that a response to the October 23, 2003 Notice of Non-Compliant Amendment had been filed on November 5, 2003 and that I had received a postcard from the Patent Office acknowledging receipt of the corrected response. I also reminded him that we had previously discussed this same issue in June 2004, and asked him if he would withdraw his holding of abandonment if I sent him copies of the

corrected response and the postcard. The Examiner said that he would look into the matter and get back to me. After our discussion, I sent a copy of the November 5, 2003 Corrected Response to Office Action, as well as a copy of the postcard acknowledging receipt of the corrected response, to the Examiner via facsimile. (Tab D):

10. As of the filing date of this Petition, I have not heard back from the Examiner concerning my request that he withdraw his holding of abandonment.

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 26, 2005



Jason C. White
Registration No. 42,223
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610

TRANSMITTAL LETTER			Case No. 8285/397
Serial No. 09/684,828	Filing Date October 10, 2000	Examiner Roland G. Foster	Group Art Unit 2645
Inventor(s) Latter et al.			
Title of Invention METHOD AND SYSTEM FOR PROVIDING ENHANCED CALLER IDENTIFICATION SCREENING USING AUDIBLE CALLER NAME ANNOUNCEMENT			

TO THE COMMISSIONER FOR PATENTS

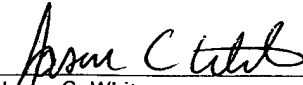
Transmitted herewith is Corrected Response to Office Action, Return Post Card with sufficient postage.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 42 =			x \$84 =	
First Presentation of Multiple Dep. Claim					+ \$140 =			+ \$280 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 Jason C. White
 Registration No. 42,223
 Attorney for Applicant
 Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, ILLINOIS 60610
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 5, 2003.

Date: 11-5-03 Signature: 

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11-5-03

Date of Deposit

Name of Registered Representative:

Jason C. White

Jason C. White, Registration No. 42,223

11-5-03

Date of Signature

PATENT
CASE NO. 8285/397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Latter et al.)	
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Serial No.:	09/684,828)	Examiner: Roland G. Foster
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Filed:	October 10, 2000)	Group Art Unit: 2645
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	SCREENING USING AUDIBLE)	
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	ANNOUNCEMENT)	

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

CORRECTED RESPONSE TO OFFICE ACTION

INTRODUCTORY COMMENTS

This Corrected Response to Office Action is being submitted in response to a Notice of Non-Compliant Amendment dated October 23, 2003. Since this Corrected Response to Office Action is being submitted within one month of the Notice, no extension of time is required. In this Corrected Response, the status identifiers for several claims have been corrected to read "Previously Presented."

In response to the Office Action dated March 31, 2003, Applicants submit the following amendments and remarks and request reconsideration of the application.

AMENDMENT TO THE TITLE

Please delete the present title and replace it with the following title, as suggested
by the Examiner:

--METHOD AND SYSTEM FOR PROVIDING ENHANCED CALLER
IDENTIFICATION SCREENING USING AUDIBLE CALLER NAME
ANNOUNCEMENT.--

AMENDMENTS TO THE CLAIMS:

1. (Cancelled)

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Cancelled)

7. (Cancelled)

8. (Cancelled)

9. (Cancelled)

10. (Cancelled)

11. (Currently Amended) A method for processing a call from a calling party at a calling communication station to a called communication station, the method comprising:

(a) determining whether standard caller identification information for the calling communication station can be provided to the called communication station by analyzing data contained within a query, wherein the data includes an indication of whether or not there is a restriction on the presentation of the standard caller identification;

(b) transmitting a request for audible caller identification information to the calling communication station in response to a determination that the standard caller identification information cannot be provided to the called communication station; and

(c) transmitting the audible caller identification information to the called communication station if the calling party provides audible caller identification information.

12. (Previously Presented) The method of claim 11, wherein (a) comprises determining whether caller identification information for the calling communication station is unavailable by analyzing data contained within a query.

13. (Previously Presented) The method of claim 11, wherein (a) comprises determining whether caller identification information for the calling communication station is incomplete by analyzing data contained within a query.

14. (Previously Presented) The method of claim 11, wherein (a) comprises determining whether caller identification information for the calling communication station has been blocked by analyzing data contained within a query.

15. (Previously Presented) The method of claim 11, wherein (b) comprises transmitting a request for the calling party to speak his or her name.

16. (Previously Presented) The method of claim 11, wherein (b) comprises:

(b1) transmitting a message indicating that the called communication station does not accept calls from an unidentified calling party and

(b2) transmitting a request for the calling party to speak his or her name.

17. (Previously Presented) The method of claim 11, wherein (c) comprises:

(c1) recording the audible caller identification information and

(c2) transmitting the recorded audible caller identification information to the called communication station.

18. (Previously Presented) The method of claim 11, further comprising transmitting a message to the called communication station, the message comprising accept and reject options.

19. (Previously Presented) The method of claim 11, further comprising transmitting a request for input from the called communication station.

20. (Previously Presented) The method of claim 18, wherein the message comprises audible instructions.

21. (Previously Presented) The method of claim 11, further comprising connecting the calling communication station with the called communication station in response to input from the called communication station.

22. (Previously Presented) The method of claim 11, further comprising connecting the calling communication station with the called communication station in response to dual tone multi-frequency tones transmitted from the called communication station.

23. (Previously Presented) The method of claim 11, further comprising canceling the call in response to the called communication station being placed on hook.

24. (Currently Amended) A method for processing a call from a calling party at a calling communication station to a called communication station, the method comprising:

(a) determining whether standard caller identification information for the calling communication station can be provided to the called communication station by analyzing data contained within a query, wherein the data includes an indication of

whether or not there is a restriction on the presentation of the standard caller identification;

(b) transmitting a request for audible caller identification information to the calling communication station in response to a determination that the standard caller identification information cannot be provided to the called communication station;

(c) receiving audible caller identification information from the calling party;

(d) causing the called communication station to ring; and

(e) transmitting the audible caller identification information to the called communication station in response to the called communication station being placed off hook.

25. (Previously Presented) The method of claim 24, wherein (b) comprises:

(b1) transmitting a message indicating that the called communication station does not accept calls from an unidentified calling party and

(b2) transmitting a request for the calling party to speak his or her name.

26. (Previously Presented) The method of claim 24, further comprising transmitting a message to the called communication station, the message comprising accept and reject options.

27. (Previously Presented) The method of claim 24, further comprising transmitting a request for input from the called communication station.

28. (Previously Presented) The method of claim 24, further comprising connecting the calling communication station with the called communication station in response to input from the called party.

29. (Previously Presented) The method of claim 24, further comprising connecting the calling communication station with the called communication station in response to dual tone multi-frequency tones transmitted from the called communication station.

30. (Previously Presented) The method of claim 24, further comprising canceling the call in response to the called communication station being placed on hook.

REMARKS

In the Office Action, the Examiner asserted that the title of the invention was not descriptive and required a new title. The title has been amended to reflect the title suggested by the Examiner.

In the Office Action, Claims 11-30 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. Patent No. 6,178,232. In response to the double patenting rejections, Applicants submit herewith a timely-filed terminal disclaimer and fee. Accordingly, Applicants request that the double patenting rejections be withdrawn.

In the Office Action, Claims 11-13, 15, 17-21, 24, and 26-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by Devillier (U.S. patent no. 5,850,435). Because Devillier is alleged to be prior art under 35 U.S.C. § 102(e), and Applicants reserve the right to antedate this reference. Even if Devillier qualifies as prior art, Claims 11-30 are patentable over this reference for at least the reasons provided below.

Claims 11 and 24 have been amended to recite that the data that is analyzed to determine whether standard caller identification information for the calling communication station can be provided to the called communication station includes an indication of whether or not there is a restriction on the presentation of the standard caller identification. None of the systems described in Devillier disclose this feature. Therefore, Claims 11 and 24 are patentable over Devillier, and Claims 2-23 and 25-30, which depend from Claims 11 and 24, are also patentable for at least the reasons stated herein.

Claims 14, 16, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Devillier (U.S. Patent No. 5,850,435) in view of Blumhardt (U.S. Patent No. 5,533,106). Because Devillier is alleged to be prior art under 35 U.S.C. §102(e), and Applicants reserve the right to antedate this reference. Applicants also submit that there is no motivation or suggestion to combine the teachings of Devillier and Blumhardt, as suggested by the Examiner, and the proposed combination is the result of nothing more than using the claimed invention as a blueprint to pick-and-choose isolated elements from the prior art. Accordingly, Claims 14, 16, and 25 are patentable over the proposed combination for this reason alone. Even if Devillier qualifies as prior art and could be properly combined with Blumhardt, Claims 14, 16, and 25 depend from Claims 11 and 24, and therefore, are patentable over the proposed combination for at least the reasons discussed above.

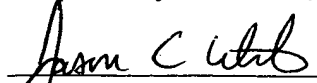
Claims 22 and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Devillier (U.S. Patent No. 5,850,435) in view of Newton's Telecom Dictionary. Because Devillier is alleged to be prior art under 35 U.S.C. §102(e), and Applicants reserve the right to antedate this reference. Applicants also submit that there is no motivation or suggestion to combine the teachings of Devillier and Newton's Telecom Dictionary, as suggested by the Examiner, and the proposed combination is the result of nothing more than using the claimed invention as a blueprint to pick-and-choose isolated elements from the prior art. Accordingly, Claims 22 and 29 are patentable over the proposed combination for this reason alone. Even if Devillier qualifies as prior art and could be properly combined with Newton's Telecom Dictionary, Claims 22 and 29 depend from

Claims 11 and 24, and therefore, are patentable over the proposed combination for at least the reasons discussed above.

Claims 23 and 30 were rejected under 35 U.S.C. § 103(a) as be unpatentable over Devillier (U.S. Patent No. 5,850,435) in view of Serbetcioglu et al. (U.S. Patent No. 5,511,111). Because Devillier is alleged to be prior art under 35 U.S.C. §102(e), and Applicants reserve the right to antedate this reference. Applicants also submit that there is no motivation or suggestion to combine the teachings of Devillier and Serbetcioglu et al., as suggested by the Examiner, and the proposed combination is the result of nothing more than using the claimed invention as a blueprint to pick-and-choose isolated elements from the prior art. Accordingly, Claims 23 and 30 are patentable over the proposed combination for this reason alone. Even if Devillier qualifies as prior art and could be properly combined with Serbetcioglu et al., Claims 23 and 30 depend from Claims 11 and 24, and therefore, are patentable over the proposed combination for at least the reasons discussed above.

In view of the above amendments and remarks, Applicants submit that this case is in condition for allowance. If the Examiner feels that a telephone interview would be helpful in resolving any remaining issues, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



Jason C. White
Registration No. 42,223
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610

Case No.
Applicant

Serial No 09/684,828

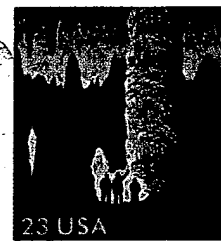
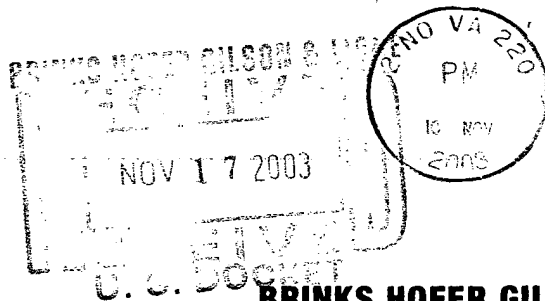
Client/Matter: 8285-397

Items Mailed: Transmittal Letter (in dup.); Corrected Response to
Office Action; Return Post Card with sufficient postage.

BRINKS HOFER GILSON & LIONE
By: Jason C. White, Reg. No. 42,223
Date of Mailing November 5, 2003



LIONE



BRINKS HOFER GILSON & LIONE

A PROFESSIONAL CORPORATION

P. O. BOX 10395

CHICAGO, ILLINOIS 60610

0410+0335



MODE = MEMORY TRANSMISSION

START=JUN-22 16:00

END=JUN-22 16:03

FILE NO.=958

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-BGH & L

***** -BGH & L - ***** 312 321 4299- *****

FACSIMILE COVER SHEET

Date: June 22, 2004

To: Examiner Roland Foster
Fax No: (703) 746-5992

From: Jason C. White
Tel. No: (312) 321-4225

Client No: 8285

No. of Pages
(inc. this page): 12

Confirmation Copy To Follow: Yes ☐ No ☒

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,
PLEASE CALL 312-321-4200 AND ASK FOR: Dawn Cluff, x-4372

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COVER MESSAGE:

Corrected Response to Office Action is attached

**BRINKS
HOFFER
GILSON
& LIONE**

A Professional Corporation
Intellectual Property Attorneys

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455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
Facsimile 312-321-4299
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Date: June 22, 2004
To: Examiner Roland Foster
Fax No: (703) 746-5992
From: Jason C. White
Tel. No: (312) 321-4225
Client No: 8285

No. of Pages
(inc. this page): 12

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COVER MESSAGE:

Corrected Response to Office Action is attached

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Name of Registered Representative:

Jason C. White
Jason C. White, Registration No. 42,223

11-5-03

Date of Signature

PATENT
CASE NO. 8285/397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Latter et al.)	
)	
Serial No.:	09/684,828)	Examiner: Roland G. Foster
)	
Filed:	October 10, 2000)	Group Art Unit: 2645
)	
For:	METHOD AND SYSTEM FOR)	
	PROVIDING ENHANCED)	
	CALLER IDENTIFICATION)	
	SCREENING USING AUDIBLE)	
	CALLER NAME)	
	ANNOUNCEMENT)	

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

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2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)

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(a) determining whether standard caller identification information for the calling communication station can be provided to the called communication station by analyzing data contained within a query, wherein the data includes an indication of whether or not there is a restriction on the presentation of the standard caller identification;

(b) transmitting a request for audible caller identification information to the calling communication station in response to a determination that the standard caller identification information cannot be provided to the called communication station; and

(c) transmitting the audible caller identification information to the called communication station if the calling party provides audible caller identification information.

12. (Previously Presented) The method of claim 11, wherein (a) comprises determining whether caller identification information for the calling communication station is unavailable by analyzing data contained within a query.

13. (Previously Presented) The method of claim 11, wherein (a) comprises determining whether caller identification information for the calling communication station is incomplete by analyzing data contained within a query.

14. (Previously Presented) The method of claim 11, wherein (a) comprises determining whether caller identification information for the calling communication station has been blocked by analyzing data contained within a query.

15. (Previously Presented) The method of claim 11, wherein (b) comprises transmitting a request for the calling party to speak his or her name.

16. (Previously Presented) The method of claim 11, wherein (b) comprises:

(b1) transmitting a message indicating that the called communication station does not accept calls from an unidentified calling party and

(b2) transmitting a request for the calling party to speak his or her name.

17. (Previously Presented) The method of claim 11, wherein (c) comprises:

(c1) recording the audible caller identification information and

(c2) transmitting the recorded audible caller identification information to the called communication station.

18. (Previously Presented) The method of claim 11, further comprising transmitting a message to the called communication station, the message comprising accept and reject options.

19. (Previously Presented) The method of claim 11, further comprising transmitting a request for input from the called communication station.

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22. (Previously Presented) The method of claim 11, further comprising connecting the calling communication station with the called communication station in response to dual tone multi-frequency tones transmitted from the called communication station.

23. (Previously Presented) The method of claim 11, further comprising canceling the call in response to the called communication station being placed on hook.

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whether or not there is a restriction on the presentation of the standard caller identification;

(b) transmitting a request for audible caller identification information to the calling communication station in response to a determination that the standard caller identification information cannot be provided to the called communication station;

(c) receiving audible caller identification information from the calling party;

(d) causing the called communication station to ring; and

(e) transmitting the audible caller identification information to the called communication station in response to the called communication station being placed off hook.

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REMARKS

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In the Office Action, Claims 11-30 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. Patent No. 6,178,232. In response to the double patenting rejections, Applicants submit herewith a timely-filed terminal disclaimer and fee. Accordingly, Applicants request that the double patenting rejections be withdrawn.

In the Office Action, Claims 11-13, 15, 17-21, 24, and 26-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by Devillier (U.S. patent no. 5,850,435). Because Devillier is alleged to be prior art under 35 U.S.C. §102(e), and Applicants reserve the right to antedate this reference. Even if Devillier qualifies as prior art, Claims 11-30 are patentable over this reference for at least the reasons provided below.

Claims 11 and 24 have been amended to recite that the data that is analyzed to determine whether standard caller identification information for the calling communication station can be provided to the called communication station includes an indication of whether or not there is a restriction on the presentation of the standard caller identification. None of the systems described in Devillier disclose this feature.

Therefore, Claims 11 and 24 are patentable over Devillier, and Claims 2-23 and 25-30, which depend from Claims 11 and 24, are also patentable for at least the reasons stated herein.

Claims 14, 16, and 25 were rejected under 35 U.S.C. § 103(a) as be unpatentable over Devillier (U.S. Patent No. 5,850,435) in view of Blumhardt (U.S. Patent No. 5,533,106). Because Devillier is alleged to be prior art under 35 U.S.C. §102(e), and Applicants reserve the right to antedate this reference. Applicants also submit that there is no motivation or suggestion to combine the teachings of Devillier and Blumhardt, as suggested by the Examiner, and the proposed combination is the result of nothing more than using the claimed invention as a blueprint to pick-and-choose isolated elements from the prior art. Accordingly, Claims 14, 16, and 25 are patentable over the proposed combination for this reason alone. Even if Devillier qualifies as prior art and could be properly combined with Blumhardt, Claims 14, 16, and 25 depend from Claims 11 and 24, and therefore, are patentable over the proposed combination for at least the reasons discussed above.

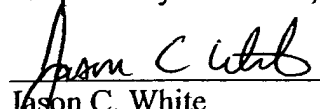
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In view of the above amendments and remarks, Applicants submit that this case is in condition for allowance. If the Examiner feels that a telephone interview would be helpful in resolving any remaining issues, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



Jason C. White
Registration No. 42,223
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610

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FACSIMILE COVER SHEET

Date: December 29, 2004

To: Examiner Roland Foster
Fax No: 703-746-5992

From: Jason White
Tel. No: 312-321-4225

Client No: 8285

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RE U.S. Application 09/684,828

Examiner Foster:

Attached is a Corrected Response to Office Action that was filed on November 5, 2003, as well as the postcard receipt showing that this Corrected Response was received by the Patent Office on November 10, 2003.

Jason White

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Law Worldwide

Case No.
Applicant

Office

Serial No 09/684,828

Client/Matter: 8285-397

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BRINKS HOFER GILSON & LIONE
By: Jason C. White, Reg. No. 42,223
Date of Mailing November 5, 2003



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Date of Deposit

Name of Registered Representative:

Jason C. White
Jason C. White, Registration No. 42,223

11-5-03

Date of Signature

PATENT
CASE NO. 8285/397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Latter et al.)	
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Filed:	October 10, 2000)	Group Art Unit: 2645
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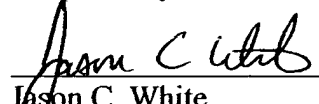
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Jason C. White
Registration No. 42,223
Attorney for Applicants

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Chicago, Illinois 60610